

Notice of Allowability

Application No.

09/866,011

Examiner

Anand Bhatnagar

Applicant(s)

SHIMA, TORU

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/02/05.
2. ☒ The allowed claim(s) is/are 1, 3-12, 14-18, 20-22, and 24-26.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Allowable Subject Matter

1. Claims 1, 3-12, 14-18, 20-22, and 24-26 are allowed.
2. The following is an examiner's statement of reasons for allowance: the prior art does not anticipate, nor does it suggest, the combination as now claimed in the claims. Specifically, claim 1 recites a combination of elements, including specifics of "a moving body estimation sub-system that decides whether the moving body is a predetermined monitored subject based on the speed detected by the speed detection sub-system and the size detected by the scale detection sub-system, the moving body estimation sub-system having an actual scale estimation sub-system that determines an estimated actual size of the moving body based on the speed detected by the speed detection sub-system and the size detected by the scale detection sub-system, the moving body estimation sub-system deciding whether the moving body is the predetermined monitored subject based on the estimated actual size of the moving body," that, in combination with the other claim limitations. Regarding claim 11, "a class estimation sub-system that checks the position detected by the position detection sub-system and the size detected by the scale detection sub-system against the correlation relationships stored in the correlation relationship storage sub-system to estimate the class of the moving body and decides whether it is the predetermined monitored subject based on the estimated class of the moving body," that, in combination with the other claim limitations. Regarding claim 17, "comparing the detected speed in the optical image plane and the size detected

in the optical image plane against the stored correlation relationships to estimate a class for the moving body," that, in combination with the other claim limitations. Regarding claim 22, "determining an estimated actual size of the moving body based on the position detected in the optical image plane and the size detected in the optical image plane," that, in combination with the other claim limitations.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

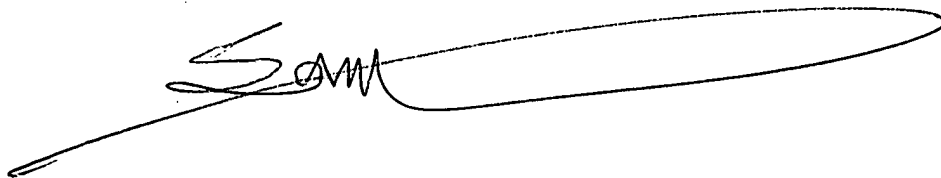
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anand Bhatnagar whose telephone number is (571) 272-7416, whose supervisor is Jingge Wu whose number is (571) 272-7429, Central fax is 571-273-8300, and Tech center 2600 customer service office number is 703-306-0377.

AB

Anand Bhatnagar

Art Unit 2623

December 11, 2005



SAMIR AHMED
PRIMARY EXAMINER